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7/11/03

PTO/SB/31 (02/01)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		<b>Docket Number (optional)</b> 06005/35500	
In re Application of Brent H. Larson, et al			
Application Number 09/408,028		Filed September 29, 1999	
For <b>DOWNLOADABLE CODE IN A DISTRIBUTED PROCESS CONTROL SYSTEM</b>			
Group Art Unit 2142		Examiner Hieu C. Le	

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences the final rejection of claims 1-6, 9-13, 17-19, 23-27 and 30-33 of the above application as set forth in final Office action mailed December 30, 2002.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 320.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half and the resulting fee is:

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 13-2855. I have enclosed a duplicate copy of this sheet.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

I am the

☐ applicant /inventor

☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☐ attorney or agent of record.

☒ attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). 41,605

Scott E. Baxendale  
Signature

Scott E. Baxendale  
Typed or printed name

June 26, 2003  
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of 1 forms are submitted.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 26, 2003      Signature: Scott E. Baxendale (Scott E. Baxendale)